

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PHILLIP A. THOMPSON, III,
Plaintiff,

v.

TAMMY FERGUSON, et al.,
Defendants.

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CIVIL ACTION

No. 19-4580

ORDER

AND NOW, this **31st** day of **December 2020**, upon review of the Commonwealth Defendants' Motion to Dismiss the Amended Complaint for Failure to State a Claim, and the Opposition thereto, and pursuant to the Court's obligations under 28 U.S.C. § 1915(e)(2)(B)(iii) and 42 U.S.C. § 1997e(c)(1), and for the reasons given in the Court's Memorandum dated December 31, 2020, it is hereby **ORDERED** that:

1. The Motion (Document No. 11) is **GRANTED in part** and **DENIED in part**.
2. The Amended Complaint is **DISMISSED** with prejudice because the Defendants are entitled to qualified immunity.
3. The Clerk of Court is directed to administratively close this case.

BY THE COURT:

/s/ Berle M. Schiller
Berle M. Schiller, J.